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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/966,319 | 09/28/2001 | Christine Gosden | 09140/00001 | 3153 |
| 25223 | 7590 | 09/03/2004 | EXAMINER | |
| WHITEFORD, TAYLOR & PRESTON, LLP ATTN: GREGORY M STONE SEVEN SAINT PAUL STREET BALTIMORE, MD 21202-1626 | | | PAIK, STEVE S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2876 | |

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,319

Applicant(s)

GOSDEN ET AL.

Examiner

Steven S. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6 and 13 is/are rejected.
- 7) ☒ Claim(s) 2,3,5 and 7-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of claiming the benefit under 35 U.S.C. 119(e) of United States provisional application, 60/236,683 filed September 29, 2000.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 6, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sloane (US 5,911,132) in view of Guinan (US 6,022,222).

Re claims 1 and 13, Sloane discloses a method and a system for collecting and storing epidemiological data. The system is interconnected via the Internet. A patient's data including a patient identification number, name, address, and billing information is kept in an epidemiological database. The database further includes a wide ranges of demographic information, information about the patient's residence such as the type of heating system used, nearness to high-voltage power lines.

However, Sloane does not specifically disclose an iconographic symbol representing information about an individual, her/her family, and his/her residence.

Guinan discloses an icon language teaching system comprising a wide range of iconographic vocabularies and a proper tense and number. Figs. 1-21 show examples of iconographic words and sentences. The iconographic symbols obviously enhance understanding

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of any written languages since the pictorial representation of a person, a place, thing, and action helps a user visualize what he/she reads. Furthermore, the same pictorial representation of one thing can be used in many different natural languages. Therefore, the iconographic symbols can be universally used regardless of a user's mother tongue.

In view of Guinan teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ an iconographic symbol in addition to the epidemiological database due to the fact that more data can be communicated among patients and other medical institutions for the purposes of enhancing communication among them. Furthermore, such modification of employing an iconographic symbol to the teachings of Sloane would have been obviously improves communication among group of people having different linguistic background and knowledge of other languages.

Re claim 4, Sloane in view of Guinan discloses the method and the system as recited in rejected claim 1 stated above, wherein said home iconographic data array on said family data entry form further comprising:

- a first generation (grandparents in Fig. 20 of Guinan) visual data array;
- a second generation visual data array (parents); and
- a third generation visual data array (son, daughter, or a child).

Re claim 6, Sloane in view of Guinan discloses the method and the system as recited in rejected claim 1 stated above, wherein said individual description array on said individual data entry form further comprising a plurality of individual identification data fields (Figure 20 discloses iconographic symbols for representing many different individual relationship.).

Allowable Subject Matter

4. Claims 2, 3, 5, and 7-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: none of the cited prior arts of the record discloses or fairly suggests an iconographic medical and population survey kit comprising, among other things, the recited physical home quality data and individual and family symbols with color-coded distinction of status of each individual.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lavin et al. (US 5,772,585) disclose a system and method for managing patient information and data management; Sone (US 6,489,977) discloses a method for displaying a combination of an icon and a message for enhanced communication.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven S. Paik
Examiner
Art Unit 2876

ssp